

PSE 6612  
PATENT

REMARKS

Applicants have thoroughly considered the Examiner's remarks and the application has been amended in light thereof. Claims 1-20 and 47-49 are presented in the application for further examination. Claims 1, 4, 6, 8, 13, 15 and 19 have been amended by this Amendment A. Claims 21-46 have been cancelled by this Amendment A. Claims 47-49 have been added by this Amendment A. Reconsideration of the application claims as amended and in view of the following remarks is respectfully requested. The following remarks will follow the sequence of the Office action. The Arabic numerals beginning each paragraph correspond to the numbered paragraphs of the Office action.

1. Applicants confirm the election of Species I including Figs. 1-4. Applicants agree that claim 1 is generic. Applicants submit that claim 1-11 and 16-20 read on Species I. Applicants request that claims 13-15 depending from claim 1 be allowed along with claim 1. In addition, newly added claim 48 parallels claim 13 and should be allowed along with claim 13.

2. Applicants affirm the preliminary election of Species 1, Figs. 1-4 and claims 1-11 and 13-20.

3. Applicants agree to the Examiner's amendment revising claim 13 to depend from claim 11.

4. Applicants have corrected the typographical errors in claims 6 and 8. Claim 15 has been amended to depend from claim 14 in order to provide antecedent basis. Since claims 1 and 8 appear to be patentable, the objection to claim 9 as depending from a rejected claim may be withdrawn.

5.-6. Claims 1, 2, 6, 7, 11 and 18 stand rejected under 35 U.S.C. §102(a) as being anticipated by Worsdell et al. (WO00/71417 A1). The Examiner argues that the Worsdell et al. reference discloses a plurality of TIR surfaces at page 14, lines 18-22. Applicants respectfully disagree. The section pointed out by the Examiner indicates that "in addition to the use of refractive optics, the use of diffractive and/or total internal reflection-based optics can offer equally effective means for carrying out the invention." Claim 1 has been amended to

PSE 6612  
PATENT

particularly specify that the TIR surfaces include a convex wall, an inner side wall and an outer side wall positioned over each of the LEDs. This aspect of the invention is not illustrated in Worsdell et al. or any of the other references cited. In fact, Worsdell et al. teach away from the invention by illustrating convex lenses 30 and prisms 32 on opposite surfaces or cylindrical lenses 44. Therefore, claim 1 as amended is patentable over Worsdell et al. so that the rejection must be withdrawn. The remaining rejected claims as well as all other dependent claims are patentable based on their dependency from claim 1.

It is noted that applicants do not necessarily agree with the Examiner's reading of the Worsdell et al. reference and the application of the teachings of that reference to the various aspects of the recitals in the dependent claims. However, in view of the above arguments clearly distinguishing claim 1 and its dependent claims over the Worsdell et al. reference, further discussion with regard to the differences between the claims depending from claim 1 and Worsdell et al. is unnecessary.

7.-8. Claims 10 and 16 stand rejected under 35 U.S.C. §103 as being unpatentable over Worsdell et al. in view of Bischoff, Jr. (U.S. Patent No. 6,158,882). The Examiner argues that Bischoff, Jr. discloses the TIR lens configuration of claims 10 and 16. Applicants disagree. In particular, claims 10 and 16 depend from claims 1 and 11 and claim the recited aspects in combination. The combined references fail to teach opposing TIR and distributing surfaces as recited by claim 10 in combination with the convex wall, inner side wall and outer wall recital of claim 1. Similarly, the prior art fails to teach the combination of the opposing surfaces recited by claim 16 in combination with the support of claim 11 in combination with the convex wall, inner side wall and outer side wall as recited by claim 1. Thus, applicants submit that claims 10 and 16 are patentable over the cited references.

9. Claims 3-5, 8, 9, 13-15, 17, 19 and 20 are objected to as depending from a rejected claim. However, the Examiner has

OFFICIAL

FAX RECEIVED

AUG 29 2003

PSE 6612  
PATENT

GROUP 2800

indicated that these claims recite allowable subject matter. In view of the fact that claim 1 is now allowable, this objection may be withdrawn. In addition, claim 47 has been added. Claim 47 parallels claim 20 and depends from claim 1. Claim 47 is patentable for the same reasons as claim 1 and claim 20. In addition, claim 48 has been added. Claim 48 recites the subject matter of claim 13 in independent form. In view of the Examiner's previous indication that claim 13 included allowable subject matter, applicants request the allowance of claim 48. In addition, applicants have added claim 49 which corresponds to claim 15 in independent form. In view of the Examiner's previous indication that claim 15 included allowable subject matter, the allowance of claim 49 is respectfully requested.

Applicants also submit that the recitals of each of the dependent claims distinguish over the prior art. Since claim 1 is patentable, there is no need to address these distinctions. Applicants reserve the right to argue each dependent claim over the cited references.

It is felt that a full and complete response has been made to the Office action and, as such, places the application in condition for allowance. Such allowance is hereby respectfully requested. If the Examiner feels, for any reason, that a personal interview will expedite the prosecution of this application, he is invited to telephone the undersigned.

It is believed that no fees are due in connection with this Amendment A. If, however, the Commissioner determines that fees are due, he is authorized to charge Deposit Account No. 19-1345.

Respectfully submitted,



Frank R. Agovino, Reg. No. 27,416  
SENNIGER, POWERS, LEAVITT & ROEDEL  
One Metropolitan Square, 16th Floor  
St. Louis, Missouri 63102  
(314) 231-5400

FRACwa